

United States District Court
Northern District of California

DIGITAL REG OF TEXAS, LLC,

Plaintiff,

v.

ADOBE SYSTEMS INCORPORATED,
VALVE CORPORATION, ELECTRONIC
ARTS INC., UBISOFT, INC., SYMANTEC
CORPORATION, AVG TECHNOLOGIES
USA, INC., ZYNGA GAME NETWORK
INC., ZYNGA, INC., and INTUIT INC.,

Defendant.

Case No.: CV 12-01971-CW (KAW)

ORDER RE: PLAINTIFF AND
DEFENDANT ADOBE SYSTEMS
INCORPORATED'S 12/9/2013
JOINT DISCOVERY LETTER

(Dkt. No. 466)

Plaintiff Digital Reg of Texas, LLC (“Digital Reg”) filed this action against several defendants, including Adobe Systems Inc.’s (“Adobe”) for patent infringement in violation of the U.S. Patent Act, 35 U.S.C. § 271. The parties filed a joint discovery letter on December 9, 2013 related to the Court’s August 29, 2013 Order concerning the adequacy of Adobe’s production of financial information. (12/9/13 Joint Letter, Dkt. No. 466.)¹

In accordance with Civil L.R. 7-1(b), this matter is deemed suitable for disposition without hearing. In light of the joint letter and the documents submitted by the parties, the Court, for the reasons set forth below, GRANTS Digital Reg’s request for further financial information.

I. DISCUSSION

Digital Reg contends that Adobe has failed to comply with the August 29 Order by failing to provide financial information for three products: Flash Professional, Flash Catalyst, and Acrobat Pro. (12/9/13 Joint Letter at 1.) In the August 29 Order, the Court ordered Adobe to

¹ The Court granted the parties’ motion for administrative relief to file the discovery letter after the deadline for fact discovery had passed, deeming the joint letter filed. (Dkt. Nos. 465 & 466.)

1 produce financial information for all identified products and platforms identified in Digital Reg's
2 "Adobe's Fabricated Spreadsheet" chart in the May 15, 2013 Joint Letter (Dkt. No. 371 at 3) and
3 in the infringement contentions. (8/29/13 Order, Dkt. No. 431 at 4.) Adobe acknowledges that it
4 has withheld this information, providing that the Court did not specifically identify these three
5 products. (12/9/13 Joint Letter at 6.) To the contrary, the Court referenced the "Adobe's
6 Fabricated Spreadsheet" chart, which named all three products, and ordered Adobe to produce its
7 financial information. (8/29/13 Order at 4.)

8 Accordingly, Adobe is ordered to supplement its responses and/or document production to
9 include financial information relating to the sale of digital content for Flash Professional, Flash
10 Catalyst, and Acrobat Pro using the accused platform.

11 II. CONCLUSION

12 For the reasons set forth above, Digital Reg's request that Adobe supplement its responses
13 to provide financial information is GRANTED, such that Adobe shall supplement its responses
14 and/or document production to include the financial information for Flash Professional, Flash
15 Catalyst, and Acrobat Pro within 14 days of this order.

16 IT IS SO ORDERED.

17 Dated: January 2, 2014


18 KANDIS A. WESTMORE
United States Magistrate Judge